

UBC TRAFFIC AND PARKING RULES

TRAFFIC AND PARKING RULES OF THE UNIVERSITY OF BRITISH COLUMBIA

1. Definitions

In these Rules:

- (a) “Board” means the Board of Governors of UBC;
- (b) “Campus” means, depending on the context, UBC’s Vancouver campus, located at Point Grey, UBC’s Okanagan campus, located in the city of Kelowna or both;
- (c) “Compliance Officer” means a member of the Department appointed by the Director to direct or control traffic and parking on Campus and to enforce the Rules;
- (d) “Department” means the service unit(s), organizational unit(s) or department(s) of UBC designated by the Board from time to time to administer and manage traffic and parking on Campus, and if a different service unit, organizational unit or department is designated for UBC’s Vancouver campus and UBC’s Okanagan campus, it means, depending on the context, the relevant service unit, organizational unit or department, or both;
- (e) “Director” means the person appointed by UBC to be responsible for the Department, and if there is a different Department for UBC’s Vancouver campus and UBC’s Okanagan campus, it means, depending on the context, the relevant director, or both ;
- (f) “Disability Parking Space” means a parking space designated for SPARC Pass holders and signed with international wheelchair symbols;
- (g) “Disputant” means, (i) the person who was handed a Traffic Notice in respect of section 19(a)(i), (ii) the Owner in respect of section 19(a)(ii) and in respect of a Vehicle moved, towed or immobilized pursuant to the Rules, and (iii) the person liable for the penalty in respect of any other penalty imposed pursuant to the Rules;
- (h) “Dispute” means a dispute arising in relation to a Traffic Notice issued pursuant to section 19, the moving, towing or immobilization of a Vehicle pursuant to section 20 or to a penalty imposed pursuant to the Rules;
- (i) “Dispute Process” means the process set out in section 24;
- (j) “Emergency Vehicle” has the meaning set out in the Motor Vehicle Act;

- (k) “Fee Schedule” means the schedule listing the parking and administrative fees established by the Director pursuant to section 4(c)(ix);
- (l) “Hearing Officer” means a person appointed by the Director to hear and determine a Dispute;
- (m) “Motorcycle” has the meaning set out in the Motor Vehicle Act, but does not include an Emergency Vehicle;
- (n) “Motor Vehicle” has the meaning set out in the Motor Vehicle Act, but does not include an Emergency Vehicle;
- (o) “Motor Vehicle Act” means the *Motor Vehicle Act*, R.S.B.C. c. 318, as amended or replaced from time to time;
- (p) “Owner” includes a person:
 - (i) in possession of a Vehicle
 - (A) as a lessee,
 - (B) under a contract by which the person may become the owner of the vehicle on full compliance with the contract, or
 - (C) with the express or implied permission of the owner, lessee or person contractually entitled to use the Vehicle;
 - (ii) who is a Permit holder in respect of the Motor Vehicle registered pursuant to section 12 and in respect of an unregistered Motor Vehicle for which the Permit holder has received a temporary permit pursuant to section 9; and
 - (iii) who has purchased Short Term Parking for a Motor Vehicle in respect of that Motor Vehicle.
- (q) “Parking Lot” means a Pay Lot, a Permit Lot and an area designated by the Director for temporary parking;
- (r) “Pass” means a windshield decal, disc permit, hanger, card or any other form established by the Director and issued in connection with a Permit;
- (s) “Passenger Zone” means a portion of space on Campus designated by the Director and marked by a Traffic Control Device for loading and unloading passengers into or from Vehicles;
- (t) “Pay Lot” a parking lot on Campus designated by the Director for Short Term Parking;

- (u) “Pedestrian Area” means an area on the Campus shown as pedestrian area on a Campus roadmap on display in the Department’s office, with a copy or link posted on the Department’s website;
- (v) “Penalty Schedule” means the Penalty Schedule to the Rules;
- (w) “Permit” means a permit of the category established by the Director pursuant to section 4(c)(viii) and issued under section 7 and includes a renewal of the permit;
- (x) “Permit Lot” means a parking lot on Campus designated by the Director for Permit holder parking of Motor Vehicles registered pursuant to section 12 or Motor Vehicles with a temporary permit issued pursuant to section 9;
- (y) “Printed Material” means printed or written advertisements, letters, announcements, flyers, brochures, booklets or similar printed or written materials, but does not include traffic notices used by the Department to enforce the Rules;
- (z) “Review Committee” means the committee established pursuant to section 23(a) for the UBC Vancouver campus, the UBC Okanagan campus or both.
- (aa) “Roadway” includes a highway as defined in the Motor Vehicle Act, as well as every traveled portion of space on Campus which is open to the public as a matter of right or by invitation, for the purpose of vehicular traffic, and includes parkades, Parking Lots and other designated parking areas;
- (bb) “Rules” means these Traffic and Parking Rules;
- (cc) “Service Zone” means a portion of space on Campus designated by the Director and marked by a Traffic Control Device for loading or exclusive use by Service Vehicles;
- (dd) “Service Vehicle” includes Motor Vehicles with government issued commercial licence plates and UBC Vehicles;
- (ee) “Short Term Parking” means the parking of a Motor Vehicle on Campus by purchasing parking space from UBC for a period of a day or less, regardless of whether the applicable parking fee is payable in advance or at the end of the purchased parking period;
- (ff) “SPARC Pass” means a parking permit issued by the Social Planning and Research Council of BC under its Parking Permit Program for People with Disabilities or by a comparable organization in another jurisdiction under a comparable program;
- (gg) “Traffic Control Device” means a sign, signal, line, meter, marking, space, barrier, or device placed or erected for the purpose of directing, permitting, prohibiting or otherwise controlling traffic or parking on Campus;

- (hh) “Traffic Notice” means a notice of an alleged contravention of the Rules in the form approved by the Director;
- (ii) “Trailer” has the meaning set out in the Motor Vehicle Act;
- (jj) “UBC” means The University of British Columbia as continued under the University Act;
- (kk) “University Act” means the *University Act*, R.S.B.C. 1996, c. 468, as amended or replaced from time to time;
- (ll) “Vehicle” includes Motor Vehicles, Trailers, motor-assisted cycles, bicycles, skateboards, roller skates and other conveyances; and
- (mm) “Vice President” means the Deputy Vice-Chancellor, UBC Okanagan in relation to matters arising out of UBC’s Okanagan campus and the Vice President, Finance, Resources & Operations in relation to matters arising out of UBC’s Vancouver campus.

2. Purpose of the Rules

The purpose of the Rules is to regulate Vehicle and pedestrian traffic and parking on Campus. The Rules are designed to respond to the uniqueness, and to preserve the natural appearance, of the Campus and its character as a walking campus. For this reason, the Rules may be different from municipal parking by-laws or other parking rules.

3. Application

The Rules apply on Campus, including, without limitation, all student residences, colleges and residential neighbourhoods located on Campus at all times and in addition to any specific contract or licence that UBC may enter into with, or grant to, any person in respect of traffic or parking on Campus or the use of UBC property generally.

4. Authorities

- (a) The Board has enacted the Rules under the authority of the University Act. The Board may revise the Rules, including the Penalty Schedule, in accordance with UBC policies, regulations, rules and applicable laws.
- (b) The Board delegates the administration, management and enforcement of the Rules to the Director. Where a power to act is conferred onto the Director, it includes the power to alter or revoke such actions from time to time and to take other actions.
- (c) In addition to the specific powers set forth in the Rules, the Director is authorized to:

- (i) regulate or direct traffic and parking consistent with the Rules and to enforce the Rules;
 - (ii) delegate management or administrative responsibilities to members of the Department as considered necessary or appropriate by the Director;
 - (iii) designate a member of the Department as the acting director, if the Director expects to be absent or is absent, for the period of the Director's absence;
 - (iv) appoint and supervise Compliance Officers;
 - (v) designate parking areas, including Parking Lots and on-street metered parking, Passenger Zones, Service Zones and other areas or zones as may required by changing traffic and parking needs and conditions on Campus;
 - (vi) cause Traffic Control Devices to be erected;
 - (vii) establish terms and conditions for Short Term Parking;
 - (viii) establish categories of Permits as may be required from time to time to meet the needs of specific groups using Roadways or parking facilities and the terms and conditions of each category of Permit; and
 - (ix) establish fees or other charges for the purposes of these Rules, including fees payable with respect to purchasing Permits and Short Term Parking and to the immobilization, moving, towing and storage of Vehicles.
- (d) The individual designated under section 4(c)(iii) shall have all the powers and may perform all the duties of the Director.
- (e) Compliance Officers are authorized to enforce the Rules under the supervision of the Director by:
- (i) directing vehicular and pedestrian traffic and parking;
 - (ii) issuing Traffic Notices for alleged contraventions of the Rules;
 - (iii) cause a Vehicle to be moved, towed or immobilized;
 - (iv) doing any other act specifically authorized in or pursuant to the Rules.

5. **Business-like Behaviour in Dealings with the Department**

In dealing with the Department, no person shall use abusive or threatening language, threatening, violent or dangerous behaviour or any other conduct inconsistent with proper business etiquette. The Director is authorized to refuse services to a person displaying such conduct.

6. **Special Privilege Passes**

- (a) **SPARC Passes.** Subject to section 6(b) only, SPARC Pass holders whose Motor Vehicle displays a valid SPARC Pass are entitled to park in disabled parking spaces.
 - (i) **SPARC Passes.** SPARC Pass holders must abide by all applicable rules and regulations including the payment of posted fees and charges at all times. The Department will report misuse and abuse of SPARC Passes to the responsible authorities.
- (b) **UBC-Issued Special Needs Parking Passes.** Upon presentation of a certificate of disability issued by the responsible UBC department or unit, the Director may grant a Permit holder special parking privileges to accommodate the special parking needs of the Permit holder.
 - (i) If the certificate of disability indicates that the Permit holder has a severe mobility disability, the Director shall, subject to parking space availability, assign to the Permit holder a specific parking space in a Campus location that accommodates as much as possible the Permit holder's mobility disability.
 - (ii) Included in the special parking privileges granted to a Permit holder to accommodate the special parking needs of the Permit holder, the Director may allow the Permit holder to park in disabled parking spaces.

7. **Permits**

- (a) Permits may only be sold or issued by or under the authority of the Director.
- (b) A person wishing to apply for a Permit may do so either in person at the Department offices in the manner approved by the Director from time to time or by using the online application and payment process provided on the Department's website. The applicant shall provide the following in connection with a Permit application:
 - (i) the applicant's full name, address, telephone number and, where available, email address;
 - (ii) information supporting the applicant's eligibility for the Permit;
 - (iii) as directed by the Director: the make, model, year, colour, vehicle identification number and/or government issued licence plate number of a Vehicle to be registered under the Permit;
 - (iv) payment of the applicable fee in accordance with the Fee Schedule.

- (v) payment in full of any fees, penalties or any other amounts owed to UBC pursuant to these Rules by the applicant or in respect of the Vehicle to be registered under the Permit; and
 - (vi) any other documentation or information required by the Director.
- (c) The Department may refuse to sell or issue a Permit of a particular category if:
- (i) the applicant does not meet the eligibility requirements established by the Director for that Permit category;
 - (ii) the applicant fails to comply with the application requirements provided in section 7(b);
 - (iii) the number of Permits allocated to that category is limited and a Permit is not available;
 - (iv) parking space allocated to that category is not available; or
 - (v) the Director has refused services to the applicant pursuant to section 5.
- (d) If an application for a Permit is approved, the Department will provide to the applicant a corresponding Pass together with the terms and conditions of the Permit.
- (e) Acceptance of the Pass and the terms and conditions of the corresponding Permit by the applicant shall be conclusive evidence of the applicant's consent to be bound by the Rules and the terms and conditions of the Permit.
- (f) A Pass remains the property of UBC at all times.
- (g) A Pass is issued to the applicant as the Permit holder and only for the Vehicle registered under the corresponding Permit. A Pass is not transferable to another person and may only be transferred to another Vehicle pursuant to section 12(b).
- (h) A Permit holder shall be responsible for the safe custody of the corresponding Pass and shall promptly report a lost or stolen Pass to the Department and to the police. The Department may charge a replacement fee for a lost, stolen or damaged Pass in accordance with the Fee Schedule.
- (i) Subject to the terms and conditions of the corresponding Permit, a Permit holder shall return a Pass to the Department within 10 days after the corresponding Permit has become invalid. A Permit becomes invalid if:
- (i) it has expired;
 - (ii) it is cancelled by the Director pursuant section 8;

- (iii) the Permit holder no longer meets the eligibility requirements for the Permit; or
- (iv) the Permit holder terminates the Permit.
- (j) Where a Permit has become invalid a Compliance Officer is authorized to collect the corresponding Pass for return to the Department.
- (k) No person shall duplicate, deface or alter a Pass or use a defaced or altered Pass or a duplicate of a Pass, or use a Pass that was not provided to them pursuant to section 7(d), for driving, operating or parking a Vehicle.

8. Director May Cancel Permits

- (a) The Director may cancel a Permit if:
 - (i) the Permit holder is not or no longer eligible for the Permit;
 - (ii) the Permit holder has made a false statement in the Permit application or in registering a Vehicle pursuant to section 12;
 - (iii) a Permit is used by a person other than the Permit holder;
 - (iv) subject to section 9, a Permit is used for a Vehicle other than a Vehicle registered under the Permit;
 - (v) the Permit holder contravenes the terms and conditions of the Permit;
 - (vi) the Vehicle registered with the Department under the Permit is no longer registered or licensed by a government authority responsible for the registration and licensing of Motor Vehicles; or
 - (vii) Department records indicate that the penalties under three or more Traffic Notices issued to the Permit holder or in respect of a Vehicle registered under the Permit are payable and remain unpaid.
- (b) If the Director cancels a Permit pursuant to section 8(a), the Permit holder is not entitled to a refund of the fee paid for the Permit.

9. Temporary Permits

Upon request, the Department may issue to a Permit holder a temporary permit for a Vehicle other than the Vehicle registered under the Permit. The Permit holder may use the temporary permit only for the Vehicle and the time period stated on the temporary permit and subject to the terms and conditions of the Permit.

10. **Short Term Parking Fees**

The current parking fees for Short Term Parking are listed in the Fee Schedule and posted in Pay Lots, parkades and at on-street meters. In case of any discrepancies between posted fees and the fees listed in the Fee Schedule, the latter shall prevail.

11. **Displaying Passes, Permits, Parking Receipts and Showing Unexpired Time**

- (a) **Duty to Display.** A parked Motor Vehicle shall display, in a manner clearly visible to a Compliance Officer:
 - (i) a valid Pass, subject to the terms and conditions of the corresponding Permit;
 - (ii) a valid temporary permit issued pursuant to section 9;
 - (iii) another valid parking permit recognized by the Rules; or
 - (iv) subject to section 11(b), a valid, unexpired parking receipt issued for Short Term Parking that was purchased by the Owner.
- (b) **Unexpired Time.** Where a parking receipt is not issued for Short Term Parking, the Traffic Control Device for the parking space occupied by the Motor Vehicle must show unexpired time.
- (c) **Fraudulent Parking Receipts.** No person shall duplicate, deface or alter a parking receipt issued for Short Term Parking or use a duplicated, defaced or altered parking receipt issued for Short Term Parking.

12. **Vehicle Registration**

- (a) The Vehicle identified in a successful Permit application pursuant to section 7(b) is automatically registered under the Permit for as long as such Permit remains valid and the Permit holder does not change the registration in accordance with this section.
- (b) A Permit holder may de-register a Vehicle referred to in section 12(a) and register a different Vehicle under the Permit or make changes to an existing registration in the manner approved by the Director from time to time.
- (c) A Permit holder shall inform the Department in respect of a Motor Vehicle registered with the Department of any change:
 - (i) in the status of the government registration or licence, or
 - (ii) to the government issued registration documentsfor such Motor Vehicle by using the process described in section 12(b) immediately after the Permit holder has become aware of the change.

13. **Traffic and Parking on Campus**

Traffic and parking on Campus is subject to the following rules:

- (a) **Speed Limit.** The following speed limits are in effect:
 - (i) Subject to this section, no person shall drive or operate a Vehicle at a greater rate of speed than 30 km/h.
 - (ii) No person shall drive or operate a Vehicle in a parkade or Parking Lot at a greater rate of speed than 15 km/h.
 - (iii) Where the Director has caused a Traffic Control Device to be placed on or above a Campus Roadway, no person shall drive or operate a Vehicle on that portion of the Roadway at a greater rate of speed than that indicated on the Traffic Control Device.
- (b) **Vehicles Off-Road.** No person shall drive, operate, stop, stand or park a Vehicle off a Roadway unless it is a Service Vehicle which has received the written permission from the Director. In giving such permission, the Director may impose appropriate terms and conditions.
- (c) **Directions of Traffic Control Device.** No person shall drive, operate, stop, stand or park a Vehicle in a manner inconsistent with the directions of a Traffic Control Device placed upon or over a Roadway, except where directed otherwise by a Compliance Officer. The existence of a Traffic Control Device purporting to regulate the use of a Roadway in any manner is evidence the Traffic Control Device was duly erected and maintained in accordance with the Rules.
- (d) **Directions of Compliance Officer.** Every person shall obey the directions of a Compliance Officer in respect of vehicular and pedestrian traffic and parking.
- (e) **Motor Vehicle in Pedestrian Area.** No person shall drive, operate, stop, stand or park a Motor Vehicle in the Pedestrian Area except with the written permission of the Director. In giving such permission, the Director may impose appropriate terms and conditions.
- (f) **Motor Vehicle in Service Zone.** No person shall stop, stand or park a Motor Vehicle in a Service Zone for a period exceeding 15 minutes or with the written permission from the Director. In giving such permission, the Director may impose appropriate terms and conditions.
- (g) **Nuisance.** No person shall drive, operate, stop, stand or park a Vehicle in a manner that constitutes a nuisance.
- (h) **Permitted Parking Locations.** Parking is only permitted in Parking Lots, parkades and at on-street meters.

- (i) **Proper Parking.** In a Parking Lot, parkade or at an on-street meter, a person must park a Vehicle completely within the white lines or other markings delimiting a parking space, and shall not stop, stand or park a Vehicle in any way that restricts the free flow of traffic or the movement of Emergency Vehicles.
- (j) **Authorized Parking.** Unless authorized by the Director or a Traffic Control Device, all parking requires a (i) valid Permit, (ii) other valid parking permit recognized by the Rules or (iii) the purchase of Short Term Parking. A person who has parked a Motor Vehicle without a valid Permit, another valid parking permit recognized by the Rules or without purchasing Short Term Parking shall be deemed to have parked the Motor Vehicle without UBC's consent.
- (k) **Compliance with Terms and Conditions.** A Permit holder must drive, operate, stop, stand or park a Vehicle registered pursuant to section 12 or a Vehicle for which a valid temporary permit was issued pursuant to section 9 in compliance with the terms and conditions of the Permit or the temporary permit. A person holding another valid parking permit recognized by the Rules must stop, stand or park his or her Vehicle in compliance with the Rules and the terms and conditions, if any, for such parking permit.
- (l) **Parking Motorcycles/Bicycles.** No person shall park a Motorcycle or bicycle in an area not designated for parking of such Vehicles.
- (m) **Parking Trailers.** No person shall park a Trailer except with written permission from and subject to the terms and conditions imposed by the Director.
- (n) **Sleeping or Living in Vehicles.** No person shall sleep, live or reside in a Vehicle or Trailer parked anywhere on Campus.
- (o) **Parking in Disability Parking Space.** No person shall stop, stand or park a Motor Vehicle in a Disability Parking Space unless the person is a SPARC Pass holder or a Permit holder who has been granted special needs parking privileges by the Director pursuant to section 6.
- (p) **Changing Licence Plate to Avoid Payment.** No person shall change, or cause to be changed, the licence plate of a Motor Vehicle for the purpose of avoiding to pay fees, penalties or any other amount owed to UBC pursuant to the Rules in respect of the Motor Vehicle.
- (q) **Additional Directions by Director.** The Director may implement additional traffic or parking directions or restrictions for emergencies, special events, construction and similar situations affecting traffic or parking.

14. Abandoned Vehicles

- (a) A Vehicle shall be deemed as abandoned if it remains on Campus:
 - (i) in inoperative condition;
 - (ii) without a valid government issued licence; or
 - (iii) for more than 24 hours without consent of UBC.

15. Tampering with Traffic Control Devices

- (a) No person shall tamper with, destroy, damage, deface, move or in any way alter a Traffic Control Device.
- (b) In addition to being liable for the penalty imposed by the Rules, a person acting in contravention to this section shall be liable for all damage, injury, loss or harm resulting from the contravention, including, but not limited to, parking revenue lost by UBC, damage to the property of UBC or another person, and the costs incurred by UBC in restoring, repairing or replacing the affected Traffic Control Device.

16. Unauthorized Distribution of Printed Material

- (a) No person shall distribute, or cause to be distributed Printed Material by placing it on Vehicles or posting it in or on Parking Lots, parkades, on-street meters or any other area designated for parking without the written permission of the Director. In giving such permission, the Director may impose appropriate terms and conditions.
- (b) In addition to being liable for the penalty imposed by the Rules, any person who acts in contravention of section 16(a) or of the terms and conditions imposed by the Director pursuant to section 16(a) shall be jointly and severally liable for the costs incurred by UBC for removing such Printed Material.

17. Liability of UBC

Fees for Short Term Parking and Permits are charged for parking space only. UBC does not take custody of Vehicles and assumes no responsibility for loss of, or damage to, through fire, theft, collision or otherwise, a Vehicle or its contents. UBC shall not be responsible for loss of, or damage to, a Vehicle or its contents resulting from the actions or omissions of a Compliance Officer acting pursuant to, and within the powers granted by, the Rules or from a Vehicle being opened, moved, towed, immobilized or stored pursuant to the Rules.

18. Contravention of Rules and Early Payment

- (a) A person who contravenes, or who is deemed to have admitted the contravention of, a provision of these Rules described in columns 1 and 2 of the Penalty Schedule is liable to the penalty set out in column 3 of the Penalty Schedule, opposite the description.
- (b) An Owner of a Vehicle stopped, standing or parked in contravention of, or who is deemed to have admitted the contravention of, a provision of these Rules described in columns 1 and 2 of the Penalty Schedule is liable to the penalty set out in column 3 of the Penalty Schedule, opposite the description.
- (c) If a penalty is paid on or before the 14th day from the date on which a Traffic Notice is received, the penalty for the contravention alleged in the Traffic Notice shall be reduced to the amount set out in column 4 of the Penalty Schedule, opposite the description of the corresponding penalty.

19. Traffic Notices

- (a) A Compliance Officer may issue a Traffic Notice for an alleged contravention of the Rules:
 - (i) by handing the Traffic Notice to a person, immediately after the alleged contravention;
 - (ii) in case of a Vehicle stopped, standing or parked in alleged contravention of the Rules:
 - (A) by attaching the Traffic Notice to the Vehicle; or
 - (B) by causing a facsimile copy of the Traffic Notice generated from the Departments records to be mailed by regular mail or by electronic mail to the Owner.
- (b) A Traffic Notice shall be deemed to have been received by the Owner of a Vehicle on the day of attachment, if it is attached to the Vehicle; on the third business day following the date of mailing if it is mailed by regular mail; or on the date it was sent if sent by electronic mail.
- (c) The Traffic Notice issued under this section 19 shall indicate:
 - (i) the provision of the Rules alleged to be contravened;
 - (ii) a general description of the alleged contravention including its location date and time;
 - (iii) the following information with respect to the Vehicle involved in the alleged contravention:

- (A) if affixed or otherwise displayed on the Vehicle in a manner clearly visible to a Compliance Officer, the license plate number of the Vehicle, and
 - (B) any two or more of the following: the make, model, colour of the Vehicle and its style (e.g. two door, van etc.);
 - (iv) the penalty for the alleged contravention;
 - (v) by when and how the penalty may be disputed;
 - (vi) in case of a penalty, when and where it may be paid, including a statement that a penalty shall be reduced as provided by section 18(c) if paid on or before the 14th day from the date the Traffic Notice is received; and
 - (vii) the employee identification number of the Compliance Officer.
- (d) The issuance of a Traffic Notice may be proven by an endorsement upon the Traffic Notice or a facsimile copy of the Traffic Notice by the issuing Compliance Officer or by reference to the business records of the Department. The endorsement by the Compliance Officer or the business records of the Department are proof of the facts stated therein and proof of the authority of the Compliance Officer issuing it without further proof of the person's appointment.
- (e) A person who pays a penalty indicated on a Traffic Notice issued pursuant to this section 19 is conclusively deemed to have admitted the contravention alleged in the Traffic Notice.
- (f) The Director may waive or cancel a Traffic Notice at any time and prescribe the instances in which Compliance Officers may waive or cancel a Traffic Notice under the Director's authority.

20. Towing and Immobilizing Vehicles

- (a) In addition to issuing a Traffic Notice pursuant to section 19, a Compliance Officer is authorized to move, tow, or cause to be moved or towed, to a place of storage an unoccupied Vehicle, which is:
- (i) impeding or obstructing traffic or parked Vehicles;
 - (ii) parked in contravention of sections 13(i) or 13(j);
 - (iii) stopped, standing or parked in contravention of sections 13(c), 13(e), 13(f), 13(g), 13(h), 13(j), 13(l), 13(m), 13(o) or 13(q);
 - (iv) abandoned pursuant to section 14; or

- (v) displaying a defaced or altered Pass, a duplicate of a Pass or a Pass that was reported lost or stolen;

and to arrange for the Vehicle's storage at the Owner's expense.

- (b) Where the Department records indicate that the penalties for three or more Traffic Notices issued in respect of an unoccupied Vehicle are payable and remain unpaid, a Compliance Officer is authorized, at the Owner's expense, to immobilize or move or tow, or cause to be immobilized, moved or towed, to a place of storage the Vehicle and to arrange for its storage.
- (c) In addition to being liable for any moving or towing and storage costs under this section, the Owner shall pay the administrative towing fee in accordance with the Fee Schedule.
- (d) A Vehicle immobilized, moved or towed and stored under this section or section 14 shall be released only to the Owner and after all fees, penalties or any other amounts owed to UBC pursuant to the Rules by the Owner or in respect of the Vehicle have been paid.

21. Authority to Open a Vehicle

A Compliance Officer is authorized to open or unlock, or cause to be opened or unlocked, a Vehicle or to take any other action that may be reasonably required to:

- (a) move a Vehicle which is stopped, standing or parked in contravention of the Rules and which restricts the movement of traffic or the movement of Emergency Vehicles, or
- (b) move or tow, or cause a Vehicle to be moved or towed under section 20.

22. Authority and Duty of Hearing Officer

A Hearing Officer has exclusive jurisdiction to hear and determine a Dispute and must faithfully, honestly and impartially perform his or her duties.

23. Establishment, Authority and Duty of Review Committee

- (a) There shall be separate Review Committees in respect of Traffic Notices issued on the UBC Vancouver campus and of Traffic Notices issued on the UBC Okanagan campus, with each Review Committee consisting of at least two members appointed by the Vice President.
- (b) The Review Committees have the authority to review the determination of a Dispute by the Hearing Officer pursuant to section 24 and in doing so they shall exercise the specific powers set forth in section 24.

- (c) The members of the Review Committees must faithfully, honestly and impartially perform their duties.

24. Dispute Process

- (a) A Disputant may dispute the contravention alleged in a Traffic Notice on or before the 14th day from the date of receipt of the Traffic Notice.
- (b) If the Disputant fails to dispute the contravention alleged in the Traffic Notice within the 14-day period, the Disputant is conclusively deemed to have admitted the contravention alleged in the Traffic Notice and the penalty indicated on the Traffic Notice and imposed pursuant to the Rules shall be payable immediately with any administrative fees owed to UBC pursuant to the Rules and in respect of the contravention.
- (c) A Dispute must be submitted in writing to the responsible Hearing Officer, in a form provided by the Director, or in another reasonably acceptable form, providing the full name of the Disputant and a postal address or electronic mail address for the Disputant, concisely stating the basis upon which alleged contravention in the Traffic Notice is disputed and such other matters as the Disputant may wish to set out for consideration by the Hearing Officer.
- (d) A Hearing Officer may hold any combination of written, electronic or oral hearings.
- (e) A Hearing Officer may require or, upon request, hear the evidence or submissions of a Disputant orally; make enquiries of the Director, Compliance Officers, or other person; or receive other evidence as the Hearing Officer considers reasonably necessary for a full and fair disclosure of the matters relevant to the dispute and for an expeditious determination of the Dispute.
- (f) A Hearing Officer may receive and accept information that he considers relevant, necessary and appropriate, whether or not the information would be admissible in a court of law.
- (g) A Disputant is not entitled to:
 - (i) an oral hearing before the Hearing Officer;
 - (ii) be present for any enquiries the Hearing Office may make of any person;
or
 - (iii) examine or cross-examine any witness.
- (h) A Hearing Officer may determine whether the Disputant is responsible for the contravention alleged in the disputed Traffic Notice. If the Hearing Officer finds that the Disputant contravened the Rules as alleged in the Traffic Notice, the penalty indicated on the Traffic Notice and imposed pursuant to the Rules shall be

payable immediately together with any administrative fees owed to UBC pursuant to the Rules and in respect of the contravention. If the Hearing Officer determines that the Disputant did not contravene the Rules, he shall cancel the Traffic Notice and may also waive any administrative fees imposed pursuant to the Rules and in respect of the alleged contravention.

- (i) In determining a dispute, a Hearing Officer shall provide to the Disputant, by mail or electronic mail to the address provided by the Disputant or by another reasonable means selected by the Hearing Officer, brief written reasons for the determination together with a notice of the Disputant's right to seek a review of the determination by the Review Committee. The Disputant shall be deemed to have received the Hearing Officer's determination on the third business day following the date of mailing if it is mailed by regular mail; on the date it was sent if sent by electronic mail.
- (j) A Disputant has the right to seek a review of the Hearing Officer's determination by the Review Committee responsible for the Campus where the disputed Traffic Notice was issued.
- (k) A Disputant who seeks a review of a Hearing Officer's determination shall notify the Hearing Officer in writing on or before the 14th day from the date of receipt of the Hearing Officer's determination. If a Disputant fails to seek a review of the Hearing Officer's determination within the 14-day period, the Hearing Officer's determination shall be final and binding.
- (l) The commencement of a review does not operate as a stay or suspend the operation of the determination being reviewed unless the Review Committee orders otherwise.
- (m) Within five days of receipt of the Disputant's notice of review, the Hearing Officer shall send copies of the disputed Traffic Notice, the Disputant's notices of dispute and review, the Hearing Officer's written reasons for his determination and his file for the Dispute to the Review Committee.
- (n) The Review Committee shall review the Hearing Officer's determination on the basis of the materials sent to it pursuant to section 24(m) and shall not consider any additional evidence or arguments. The review by the Review Committee is not a re-hearing of the Dispute.
- (o) The Review Committee may make a decision by a majority of votes of its members. In the event of a tie vote, the Hearing Officer's determination shall be upheld.
- (p) The Review Committee may substitute its decision for the determination of the Hearing Officer. Sections 24(h) applies, with the necessary modifications, to the review by the Review Committee.

- (q) The Review Committee shall notify the Disputant of its decision, together with brief written reasons, by mail or electronic mail to the address provided by the Disputant or by another reasonable means selected by the Review Committee, with a copy of the decision to be provided to the Hearing Officer and Department.
- (r) The Review Committee's decision shall be final and binding and shall not be subject to further review by UBC.

Approved by the Board of Governors December 2, 2014

PENALTY SCHEDULE

[Sections 1 and 18 of the Rules]

Item	Column 1 Provision	Column 2 Description	Column 3 Penalty	Column 4 Payment on or before 14 th day
1.	7(g)	Transfer of Pass to Another Person	\$250	\$250
2.	7(k)	Counterfeit Pass	\$250	\$250
3.	11(a)	Failure to Display Proper Authorization	\$60	\$30
4.	11(b)	Expired Time	\$60	\$30
5.	11(c)	Counterfeit Parking Receipt	\$60	\$60
6.	12(c)	Failure to Update Registration	\$60	\$30
7.	13(a)	Exceeding Speed Limit	\$60	\$30
8.	13(b)	Operating Vehicle Off-Road	\$60	\$30
9.	13(c)	Failure to Obey Traffic Control Device	\$60	\$30
10.	13(d)	Failure to Obey Compliance Officer	\$60	\$30
11.	13(e)	Vehicle in Pedestrian Area	\$100	\$100
12.	13(f)	Vehicle in Service Zone	\$60	\$30
13.	13(g)	Nuisance	\$60	\$30
14.	13(h)	Parking in Improper Location	\$60	\$30
15.	13(i)	Improper Parking	\$60	\$30
16.	13(j)	Parking without Proper Authorization	\$60	\$30
17.	13(k)	Non-Compliance with Permit Conditions	\$60	\$30
18.	13(l)	Unauthorized Motorcycle/Bicycle Parking	\$60	\$30
19.	13(m)	Unauthorized Trailer Parking	\$60	\$30
20.	13(n)	Sleeping/Living in Vehicle	\$60	\$30
21.	13(o)	Unauthorized Disabled Parking	\$200	\$100
22.	13(p)	Changing License Plate to Avoid Payment	\$60	\$30
23.	15(a)	Tampering with Traffic Control Device	\$250	\$250
24.	16(a)	Unauthorized Distribution of Printed Material	\$60	\$30